

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

SHAUNA WILLIAMS, et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in
his official capacity as Chair of the House
Standing Committee on Redistricting, et
al.,

Defendants.

Case No. 1:23-cv-01057-TDS-JLW

**PLATINIFFS' NOTICE REGARDING THEIR OPPOSITION TO
LEGISLATIVE DEFENDANTS' MOTION TO CONSOLIDATE**

Plaintiffs file this Notice to apprise the Court that they have now filed an Amended Complaint alleging that the 2023 Congressional Plan violates Section 2 of the Voting Rights Act. ECF No. 30 at 33 (Count III). Plaintiffs' brief opposing Legislative Defendants' Motion to Consolidate states that "among the 28 discrete challenges alleged in" the *Williams* Complaint and the *NC NAACP* Complaint, "only *one* is overlapping." ECF No. 28 at 2.¹ As a result of filing the Amended Complaint, *Williams* Plaintiffs' claims now also overlap with *NC NAACP* Plaintiffs to the extent both challenge the 2023 Congressional Plan under Section 2 of the Voting Rights Act. *See NC NAACP* Compl. at

¹ This overlapping claim is an Intentional Discrimination Claim against the 2023 Congressional Plan under the Fourteenth and Fifteenth Amendments. *Williams* Compl. at 28, ECF No. 1 (Count II); *NC NAACP* Compl. at 84–85, *N.C. State Conf. of NAACP v. Berger*, No. 1:23-cv-1104 (M.D.N.C. Dec. 19, 2023), ECF No. 1 (Count 12).

83–84, *N.C. State Conf. of NAACP v. Berger*, No. 1:23-cv-1104 (M.D.N.C. Dec. 19, 2023), ECF No. 1 (Counts 10 and 11).

In all other respects, Plaintiffs’ remaining arguments against consolidation still apply and most claims do not overlap. *Williams* Plaintiffs still do not challenge the 2023 Senate Plan or 2023 House Plan, *cf. NC NAACP Compl.* at 73-83 (Counts 1–9), and *Williams* Plaintiffs bring separate challenges to Congressional Districts 1, 6, 12, and 14 as racial gerrymanders in violation of the Fourteenth Amendment, which *NC NAACP* Plaintiffs do not bring.

For all the reasons set forth in Plaintiffs’ original opposition to consolidation, ECF No. 28, they respectfully request that the Court deny Legislative Defendants’ motion to consolidate or, in the alternative, grant Legislative Defendants’ motion to consolidate only insofar as it pertains to consolidating discovery.

Dated: March 4, 2024.

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** Special Appearance pursuant to
Local Rule 83.1(d)*